

Dear Chairman Manning, Ranking Member Cecil Thomas, and members of the Senate Judiciary Committee:

My name is Arlene Schler and I am a resident of Cleveland, Ohio. Thank you for the opportunity to submit proponent testimony on Ohio Senate Bill 182.

When I attended high school decades ago, I learned that three valuable principles form the bedrock of the criminal legal system-- innocent until proven guilty, right to counsel, and fairness i.e., the rich and the poor are treated the same before the law. Sadly, I have found that Ohio's criminal legal system is not living up to these principles.

It cannot be living up to these principles, when there is unfair racial disparity in the administration of the law: Black individuals in Cuyahoga County are more likely to have a bond set over \$10,000 and more likely to be denied release compared to white people charged with a crime in the same category (ACLU Fiscal Analysis 2020). It is not living up to these principles, when 63% of pretrial jail bed usage in Ohio is for those charged either with only a misdemeanor or non-person felony. This costs Ohio taxpayers between \$19 and \$253 million each year unnecessarily, because many of these individuals will be released anyway when their bond is lowered (ACLU Fiscal Analysis 2020).

The principle of innocent until proven guilty is compromised when, as many studies support, persons who remain in jail pretrial are more likely to be convicted or plead guilty to just get out of jail and, also, miss opportunities to meet with or have access to counsel.

Because this bipartisan bill emphasizes a presumption of release, sets conditions of timely release hearings, demands a right to counsel at conditions of release hearings, and creates a presumption against the setting of monetary conditions of release, it allows Ohio's out-of-whack criminal legal system to stand tall...to be more just. Yes, this bill is personal to me; it affects how I feel about being an Ohioan and an American.

Importantly, it supports the judiciary in performing the job they were elected to do, that is to administer justice fairly. Requiring findings on the record in the financial hearing makes the decision of the court more transparent. The bill in defining "bail" and "bond" helps make the administration of justice more uniform--more fair across Ohio's courts.

Yes, this bill will create new administrative issues but that is what technology and creativity and working smart will solve. That is what my tax dollars should support – an efficient court system.... a fair court system for all Ohioans. 75% of Ohio voters believe that Ohio's criminal justice system needs reform. We support the passage of this clean bail bill and ask you to vote YES on SB182.

Thank you for this opportunity.

Arlene Schler

